

AT AN ADJOURNED MEETING OF THE BOARD OF SUPERVISORS OF MONTGOMERY
COUNTY, VIRGINIA HELD ON THE 28TH DAY OF JANUARY, 2002 AT 7:15 P.M. IN
COURTROOM B, COUNTY COURTHOUSE, CHRISTIANSBURG, VIRGINIA:

PRESENT:	Mary W. Biggs	-Chair
	Larry N. Rush	-Vice Chair
	Annette S. Perkins	-Supervisors
	C. P. Shorter	
	John A. Muffo	
	Gary D. Creed	
	James D. Politis	
	Jeffrey D. Johnson	-County Administrator
	L. Carol Edmonds	-Assistant County Administrator
	Martin M. McMahon	-County Attorney
	T. C. Powers, Jr.	-Planning Director
	Steve Sandy	-Zoning Administrator
	Bobby Parker	-Public Information Officer
	Judy W. Kiser	-Assistant to the County Administrator

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

The Chair called the meeting to order and the Pledge of Allegiance was recited.

Motion to Move New Business to Top of Agenda

On a motion by Larry N. Rush, seconded by C. P. Shorter and carried unanimously, New Business was moved to the top of the Agenda.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
Larry N. Rush	None
C. P. Shorter	
Annette S. Perkins	
James D. Politis	
John A. Muffo	
Gary D. Creed	
Mary W. Biggs	

NEW BUSINESS

Other Agencies-Transfer from Contingencies

On a motion by Larry N. Rush, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that a transfer is hereby authorized, as follows:

FROM:

950	Contingencies	(\$21,200)
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TO:

910	Other Agencies	
	Boys and Girls Club at Christiansburg Middle School	\$10,000
	Rosa L. Peters Community Park	\$5,000
	Christiansburg Community Center- High Street	\$5,000
	Council on Human Relations	<u>\$1,200</u>
		\$21,200

Said resolution transfers funds from Contingencies to the Other Agencies.

The vote on the foregoing resolution was as follows:

AYE

James D. Politis
Gary D. Creed
John A. Muffo
C. P. Shorter
Annette S. Perkins
Larry N. Rush
Mary W. Biggs

NAY

None

PUBLIC HEARINGS-BOARD OF SUPERVISORS

Special Use Permit

-Calvin Glenn Hall requests a Special Use Permit, with possible conditions, in Agricultural (A-1) on a 0.53 acre tract to allow a private garage in excess of 850 square feet and sixteen (16) feet in height. The property is located at 5500 Periwinkle Road and is identified as Tax Parcel No. 47A-A-32A (Account ID #007813) in the Shawsville Magisterial District. The property lies in an area designated as Urban Expansion Area in the Comprehensive Plan.

This public hearing was continued from the December 17, 2001 meeting in order to receive the Planning Commission's recommendation. The Planning Commission has recommended approval of the request with the following conditions:

- 1) Private garage shall be complete and property brought into compliance with six (6) months of approval of the special use permit by the Board of Supervisors
- 2) Garage shall not exceed 1680 square feet in area
- 3) Garage shall be private and not used for any work of a commercial nature.

There being no speakers, the public hearing was closed.

Special Use Permit

-CB Linkous (Agent: Greg Linkous) requests a Special Use Permit in Agriculture (A-1) on a 4.3 acre tract, with possible conditions, for a contractor's equipment storage yard. Property is located at 333 Merrimac Road, on Tax Parcel No. 67-A-222A (Account ID #036257), in the Prices Fork Magisterial District. The property lies in an area designated Urban Expansion Area in the Comprehensive Plan.

This public hearing was continued from the December 17, 2001 meeting in order to receive the Planning Commission's recommendation. The Planning Commission has recommended approval subject to the following conditions:

1. The owner will construct an 8' privacy fence adjacent to the proposed equipment building and surrounding an area large enough to accommodate the storage of all inoperable vehicles awaiting repair, equipment parts, and smaller, non-vehicular, paving equipment.
2. The property will contain no more than thirty (30) vehicles or pieces of heavy equipment related to the contracting and paving business at any one time. All vehicles and equipment will be maintained in good working condition. Equipment, which can be licensed and tagged (gravel trucks, etc), or heavy equipment (back hoes, scrapers, rollers) in good working order can be stored outside of a fenced contractor's yard, at least 350' from the right-of-way of Merrimac Road and no closer than 10' from the side and rear property lines. All other equipment, materials, supplies, and inoperable vehicles must be stored within the fenced area. In addition, the owner may construct a pole barn adjacent to one side of the fenced area or to the side of the equipment shed to facilitate the storage of materials, which may be effected by the weather.
3. No "for hire" repair work will occur on site.
4. There will be no storage of fuel on site.
5. Any lighting installed on site will be dusk to dawn, full cut-off type fixtures to avoid glare onto

adjacent properties.

6. In addition to the fenced storage yard, the owner will plant evergreens along the rear edge of the graded portion of the property and intermittently along the northern edge of the property, extending from the end of the Sheppard Property to the rear property line in order to augment existing screening. Finally, the owner will construct a 175' long, 6' privacy fence, extending from the two evergreens adjacent to the paved parking area to 10' beyond the rear corner of the last trailer in Sheppard's Mobile Home Park.
7. The building size shall be limited to no more than 2,800 square feet and the height shall not exceed 20 feet. In addition, if needed, the owner may construct either an open-sided attached storage shed or pole barn adjacent to either the fence or to the equipment repair structure, not to exceed a total of 1000 square feet in order to replace the existing bus storage facilities.
8. Given the residential character of the area, onsite work shall be limited to the hours between 7:00 a.m. and 8:00 p.m. unless otherwise required for emergency uses such as snow removal.
9. The two buses and sand storage unit must be removed from the property within 60 days of the final inspection for the equipment repair building. All other inoperable vehicles and equipment must be stored within the fenced area adjacent to the equipment repair building.
10. All work specified in this document must be completed within 60 days after the final inspection for the equipment repair building. Failure to comply with all conditions of this Special Use Permit after due notice from the Zoning Administrator shall result in revocation of permit from the Board of Supervisors.

C. B. Linkous spoke on behalf of his request. He reported that a salvage company had come in and removed most of the items that were showing in the video taken by the Zoning Administrator.

W. P. Turpin, an adjacent property owner, said he does not oppose the requested special use permit; but he is concerned about the commercial development in the area.

The following letter was received from Bobby Sexton:

"Bobby Sexton
1156 Burley Lane
Blacksburg, VA 24060

To: Montgomery County Planning Commission and Board of Supervisors

In regard to the special use permit requested by Greg Linkous.

Bobby Sexton attended the planning meeting previously held. At this meeting a video was shown on the entrance to property in question. I have enclosed pictures of the property border to my land and

the land of Clyde Keaton. These pictures were taken in December 2001. As you can see this view is all but pleasant. Our concerns are that any addition to the zoning will only create more of what we already look at. Also, our concern is the noise level which is already unpleasant. 6 a.m. trucks are being started up and moving and then in summer up until 10:00 or 9:00 p.m. returning trucks are banging truck beds up and down to clean excess particles from beds. What hours will be kept with a new building to work on trucks, all night?

Board members, I ask you as land owners yourselves how would you like to go out your back door to these sights and sounds, to enjoy a nice quiet summer evening or on Saturday morning to sleep a little later than usual?

Also, I must ask why you allow this when several years ago Donnie Hodge wanted to do the same thing and was told a residential area was no place for this. I really don't understand.

We would also like to ask if a fence could be installed to muffle the sound and better the view. We hope that you will look and see where and what all surrounding residents see and hear and do what is best for everyone. We appreciate your time to read this letter and view pictures.

Thank you

Bobby Sexton"

There being no further speakers, the public hearing was closed.

Request for Special Use Permit

-Gary L. & Maxine L. Morris request a Special Use Permit, with possible conditions, in Agricultural (A-1) on a 1.957 acre tract to allow a private garage in excess of 850 square feet and sixteen (16) feet in height. The property is located at 3750 Surface Road and is identified as Tax Parcel No. 119A-8-7 (Account ID #034884) in the Riner Magisterial District. The property lies in an area designated as Rural Expansion Area in the Comprehensive Plan.

This proposed garage is in a rural residential area and is intended for the housing and maintenance of no more than three (3) antique vehicles, garden tractor, garden plow, various garden tools and provide general storage. A report from the Planning staff indicates this proposed use should have no adverse effect on the surrounding property owners or the character of the neighborhood. The Planning Commission has recommended approval with the conditions that the private garage shall not exceed 1232 square feet in area and 21 feet in total height; and the garage shall be private and not used for any work of a commercial nature.

The Virginia Department of Transportation reviewed the request and reported that since this is for private use only, VDOT has no requirements other than any new entrance would require a permit.

The applicant was present and offered to answer any questions from the Board.

There being no speakers, the public hearing was closed.

Rezoning Request

-Maddy Realty LLC (Agent: W.H. Maddy Jr.) requests to rezone 21.62 acres from Agriculture (A-1) to Rural Residential (R-R) with possible proffered conditions, to allow the subdivision of property into 13 lots. The property is located on Fairview Church Road and is identified as Tax Parcel Nos. 127-A-23 (Account ID #000729) in the Riner Magisterial District. The property currently lies in an area designated as Agriculture/Rural in the Comprehensive Plan.

The Planning Commission has recommended approval with three conditions:

- 1) The entrance(s) to the subdivision shall meet all applicable VDOT standards, including site distance requirements;
- 2) The well and septic system requirements shall meet all applicable Health Department Standards;
- 3) In the event that the proposed gas pipeline is approved and the easement has been purchased, applicant shall identify and locate the easement on the final subdivision plat prior to recordation.

The Virginia Department of Transportation (VDOT) reviewed the request and reported there is insufficient sight distance on Fairview Church Road (SR 669) to permit the street entrance where shown. Since the new entrance will change the plat, VDOT had no further comments.

W. H. Maddy, Jr., applicant, spoke on behalf of his request. Mr. Maddy indicated he will change the entrances to meet VDOT approval.

There being no further speakers, the public hearing was closed.

Rezoning Request

-Carilion New River Valley Medical Center (Agent: Robert B. Manetta, Esquire) requests to rezone approximately 120 acres from Residential (R-2) to Planned Unit Development- Commercial (PUD-COM) with possible proffered conditions, for continued use as a hospital and other future health related development. The property is located at 2900 Lamb Circle and is identified as Tax Parcel No. 104-A-26 (Acct ID #009207) in the Riner Magisterial District. The property currently lies in an area designated as Planned Commercial in the Comprehensive Plan.

The Virginia Department of Transportation (VDOT) reviewed the request and found the existing entrances are sufficient for the proposed construction, therefore they had no comments or requirements for this particular activity.

The Public Service Authority (PSA) reviewed this request and reported that 3,300 gallons per day of water and sewer has been reserved for the St. Albans Hospital addition. The PSA does have this capacity available and there is no conflict with the Adequate Facilities Policy adopted by the Board of Supervisors on March 12, 2001.

In response to questions from the Planning Commission, the following information was provided by Draper-Aden Associates:

1. What is the projected traffic increase due to the St. Albans addition on a 24-hour basis as well as a peak hour basis? The peak hour increase is estimated to be 24 trips per hour. It was anticipated that these trips would be divided between the two entrances with 22 vehicles using the main entrance and 2 vehicles using the Barn Road entrance.
2. What criteria is used by VDOT to determine whether or not a new traffic light is justified at the main hospital entrance on Tyler Road (SR 600)? Will the projected traffic increase due to the St. Albans addition be sufficient to justify a new traffic light? If not, how much additional traffic must be generated by the hospital before a new traffic light is justified? To evaluate the need for traffic signals, VDOT uses the eleven "warrants" as contained in the Federal Highway Administration's *Manual of Uniform Traffic Control Devices* (MUTCD). The projected increase of 296 trips per day is insufficient, in and of itself, to warrant a signal at the main entrance. Most of the burden of need for the warrants rests with the major through street (e.g. Tyler Road, SR 600) and its volume of traffic. The hospital volumes could increase two-fold and unless that increase occurred during the same hours as the major street peaks, no signal would be required.

The Planning Department staff reports the recent update to the Virginia 177/Tyler Avenue Corridor Study which resulted in amendments to the respective Comprehensive Plans of Radford and Montgomery County designate the entire hospital property as Planned Commercial. Therefore, it is appropriate to rezone the property to Planned Unit Development-Commercial with the accompanying Master Plan (development plan). In the future when Carilion desires to further develop their property, they will do so in the form of a Special Use Permit to allow changes to an approved development plan.

Robert B. Manetta, agent for the applicant, spoke on behalf of Carilion's rezoning request. Mr. Manetta said there are no current plans for any more additions to the hospital. In response to complaints received about Barn Road, Mr. Manetta said the hospital would be happy to convey right-of-way to the Department of Transportation for any improvements to the road.

Charlie Bowles spoke in opposition to the proposed rezoning. He does not believe the hospital needs to rezone that amount of land for St. Albans. He suggested that the hospital pay for improvements to Barn Road, since there are other roads on the 6-Year Road Improvement Plan that are listed as a higher priority. Mr. Bowles said he is also concerned about the water and sewer capacity in that area.

Margaret Smith spoke in opposition to the requested rezoning. With the exception of one small parcel, the surrounding property is agriculture. She suggested that the hospital request a special use permit for construction of the facility rather than rezone the complete 120 acres.

Mr. Manetta addressed the Board again, reporting that the state has approved the hospital's application for a Certificate of Need. He also pointed out that the hospital had helped to bring water and sewer to the area.

There being no further speakers, the public hearing was closed.

Request for Special Use Permit

-Sarah M. Wall, Life Estate (Agent: Mac Wall) request a Special Use Permit, with possible conditions, in Agricultural (A-1) on a 19.72 acre tract to allow a creamery facility with retail sales. The property is located at the southeast intersection of Prices Fork Road and Merrimac Road and is identified as Tax Parcel No. 52-A-137,138 (Account ID #020273) in the Price's Fork Magisterial District. The property lies in an area designated as Agriculture in the Comprehensive Plan.

The Virginia Department of Transportation (VDOT) reviewed the special use permit request and found that any new entrances will require a Commercial Entrance Permit. A site plan is required for drainage and traffic review. A traffic study will be required, and a left turn lane on Prices Fork Road will most probably be required.

The Blacksburg Planning Commission's Environmental Quality and Land Use Committee reviewed the request and commented that the proposal appears to be consistent with the Town's Comprehensive Plan, however, the Committee encourages a rural and/or agricultural appearance for all structures related to the proposed creamery. The Town of Blacksburg supports the proposed Wall's Creamery site concept plan and the SUP request to allow the manufacture and sale of dairy products from the creamery and other local agricultural products in the A-1 district.

David Bennett, an adjacent property owner, wrote a letter in support of the request, saying he believes the request is within the framework of the comprehensive plan and is in keeping with the rural nature of the area.

The Planning Commission recommended approval of the request, subject to the following conditions:

1. Project shall be constructed in substantial conformance with the concept plan dated December 3, 2001. Project shall occupy no more than 6.7 acres and shall contain no more than 2000 square feet of restaurant area and no more than 2000 square feet retail sales of items not handcrafted, grown or produced on the Wall Farm.
2. Special Use Permit authorizes a "farm enterprise" that shall consist of uses such as:
 - a. Processing of dairy products (creamery) and other products such as tea, juice and water. The processing facility shall not exceed an average capacity of 1500 gallons of processed product per day.
 - b. Retail sales of dairy products, bottled beverages, baked goods, meats, eggs, produce, crafts and farm products (e.g. hay, gates, water troughs, etc.).
 - c. Educational and entertainment activities consistent with the farming operation such as farm and creamery tours, hay rides, corn mazes, etc.
 - d. Any other uses similar in type, scope and intensity as determined by the Zoning Administrator.
3. Project shall be subordinate to an ongoing agricultural operation and part of an Agricultural and Forestal District.
4. Entrances shall be approved by VDOT prior to issuance of any building permits. All service and shipping traffic will use the Merrimac Road entrance.

5. Ten (10) feet of additional right-of-way along the entire eastern property line shall be granted to facilitate the future widening of Merrimac Road.

Mac Wall, agent for the applicant, spoke on behalf of the request. Mr. Wall said this creamery would help to keep the family in the dairy business and keep their roots in Montgomery County.

Supervisor Rush asked if the applicant would be willing to offer a proffer to hook up to public water if was available.

Margaret Smith spoke in support of the request for a Special Use Permit, saying it would help protect the Agricultural District from further development.

Rick Wall thanked the Board of Supervisors and Planning staff , as well as the Department of Transportation, for their assistance.

There being no further speakers, the public hearing was closed.

Proposed Transfer of Airport Lands to the New River Valley Airport Commission

-Proposed conveyance of its interest in 385 acres which compose the lands of the New River Valley Airport to be conveyed to the New River Valley Airport Commission.

The County Administrator explained that when the New River Valley Airport Commission was established in 1957 the land for the airport was acquired by participating jurisdictions, but never transferred to the New River Valley Airport Commission. The participating jurisdictions are proposing to transfer this property to the Airport Commission as originally intended.

Supervisor Perkins requested that information be provided about Montgomery County's contributions to the NRV Airport Commission. She also requested information about contributions from other jurisdictions.

There being no speakers either for or against the proposed transfer of land, the public hearing was closed.

Pursuing the adoption of a County Cable Franchise Ordinance

-Proposed adoption of a County Cable Franchise Ordinance

The County Attorney explained the purpose of this public hearing was to receive comments on the public's interest in establishing a cable TV franchise ordinance for Montgomery County.

There being no speakers, the public hearing was closed.

PUBLIC ADDRESS

Round Meadow Country Club Russell Duncan, a resident of Riner, said he was speaking on behalf on Montgomery County citizens, about the County's plans to purchase the Round Meadow Country Club.

Mr. Duncan said there are currently seven golf courses withing driving distance for the public to use. He asked what impact this purchase would have on the County's parks and recreation budget. He suggested that a study be initiated on the liabilities, assets, value, estimated cost of repairs and overall cost of operating the facilities and the revenue that would be generated.

Charlie Bowles said there is already a golf course in Riner and does not see the need for another one.

Riner Food Center Mr. Bowles addressed concerns he has about kids hanging out at the Riner Food Center between 2:30 and 3:30 in the afternoon and driving dangerously in the parking lot. He suggested that Sheriff's Deputies be asked to patrol this area.

Noise levels at Corning W. P. Turpin addressed the Board about the noise coming from Corning. He said he has been trying to get something done for a year or more. He has talked with the Town of Christiansburg and to the Christiansburg Police. Mr. Turpin has also talked with T. J. Cox at Corning about the problem, and for a short time the noise level seemed to go down. The Chair asked that staff contact the Christiansburg Town Manager and discuss a possible solution to the noise problem.

Department of Social Services Ann Hess, a member of the Social Services Board and speaking on behalf of Father Harry Scott, Chairman of the Social Services Board, asked that the Board of Supervisors go on record opposing the involuntary consolidation of local social services agencies. Ms. Hess said this matter has been studied several times during the last decade at both the state level and in individual localities. All studies concluded that there were little cost savings to be gained through consolidation of agencies. In addition, the administrative complexity increased a great deal in accounting to separate jurisdictions for program and finances. There were no personnel savings in that all of the agencies are currently understaffed by the Commonwealth's own calculations and satellite offices would need to be kept open in almost every jurisdiction. The Social Services Board supports consolidation when it is conceived and accomplished voluntarily by the jurisdictions involved.

ADD TO AGENDA-ADDENDUM

On a motion by Annette S. Perkins, seconded by James D. Politis and carried unanimously, the Addendum dated January 28, 2002 was added to the agenda under Closed Meeting as follows:

Section 2.1-3711	(7) Consultation With Legal Counsel and Briefings by Staff Members or Consultants Pertaining to Actual or Probable Litigation Where Such Consultation or Briefing in Open Meeting Would Adversely Affect the Negotiating or Litigating Posture of the Public Body; and Consultation With Legal
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Counsel Employed or Retained by a Public Body Regarding
Specific Legal Matters Requiring the Provision of Legal Advice
by Such Counsel

2. Blacksburg Shell Building

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
James D. Politis	None
Gary D. Creed	
John A. Muffo	
C. P. Shorter	
Larry N. Rush	
Annette S. Perkins	
Mary W. Biggs	

CONSENT AGENDA

On a motion by Larry N. Rush, seconded by Annette S. Perkins and carried unanimously, the Consent Agenda dated January 28, 2002 was approved. The vote was as follows:

<u>AYE</u>	<u>NAY</u>
James D. Politis	None
Gary D. Creed	
John A. Muffo	
C. P. Shorter	
Larry N. Rush	
Annette S. Perkins	
Mary W. Biggs	

APPROPRIATIONS AND TRANSFERS

Sheriff-Recovered Costs

On a motion by Larry N. Rush, seconded by Annette S. Perkins and carried unanimously,

BE IT RESOLVED, by the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2002, for the function and in the amount as follows:

321 Sheriff-Grants	\$4,927
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The source of the funds for the foregoing appropriation is as follows

Revenue Account

419117	Dare Donations	\$ 2,000
424401	Project Life Save Donations	<u>\$2,927</u>
		\$4,927

Said resolution appropriates private donations to the DARE program and to the Project Life Saver program.

Department of Social Services

On a motion by Larry N. Rush, seconded by Annette S. Perkins and carried unanimously,

BE IT RESOLVED, BY the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2002, for the function and in the amount as follows:

540	Social Services	\$22,051
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The sources of the funds for the foregoing appropriation is as follows:

Revenue Account

424102	Public Assistance	\$ 22,051
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Said resolution appropriates funding for the Energy Assistance Program and the Food Stamp Employment Training.

Registrar-Recovered Costs

On a motion by Larry N. Rush, seconded by Annette S. Perkins and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2002, for the function and in the amount as follows:

170	Registrar	\$143
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The source of the funds for the foregoing appropriation is as follows:

Revenue Account

419108	Recovered Costs	\$143
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Said resolution appropriates funds received from an overpayment.

OLD BUSINESS

Beliveau Development Corp. Rezoning Request

Supervisor Creed made a motion, seconded by Supervisor Muffo, for approval of the proposed rezoning.

Following discussion by the Board, on a motion by C. P. Shorter, seconded by Gary D. Creed and carried,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the Beliveau Development Corp. request to rezone 2.2 acres from Agriculture (A-1) to Residential (RM-1) located at 3030-3032 Peppers Ferry Road in the Prices Fork Magisterial District is hereby **tabled pending a report on the impact this development would have on the school system, and a traffic count on Pepper's Ferry Road (Route 114).**

The vote on the motion to table was as follows:

AYE

Annette S. Perkins

Gary D. Creed

C. P. Shorter

Mary W. Biggs

NAY

Larry N. Rush

James D. Politis

John A. Muffo

COUNTY ATTORNEY'S REPORT

Oak Forest Trailer Park At the Board's January 14, 2002 meeting Supervisor Shorter reported complaints from citizens at the Oak Forest Trailer Park about their waters being \$25 per person based on the number of occupants in a trailer. In response to an inquiry by the County Attorney, the owner of the trailer park said he installed odometer type remotes and over time the individual remotes read lower and lower, but the collected billing did not equal the bill the owner had to pay the county, it was much less. When the county eliminated the large volume discount in 10/01 it drastically increased the bill the owner owed to the county. New remotes are scheduled to be installed within a month and they will resume billing on an individual consumption basis. It is likely many of the bills will be drastically higher because of the previous inaccuracy of the remotes.

BOARD MEMBERS' REPORTS

Supervisor Shorter - Fire/Rescue Task Force The Task Force met on January 24th. Members of the

Task Force are communicating well in their discussions on fire/rescue needs.

Resource Conservation & Development Council (RC&D) Supervisor Shorter attended the last meeting of the RC&D Council.

Supervisor Muffo - Broomin' and Bloomin' The 2002 Broomin' and Bloomin' is scheduled for April 20th. During the 2001 event, 811 participants collected 92,684 lbs. of debris.

Supervisor Perkins - County/Town Liaison AT the County/Town Liaison meeting on January 16, 2002 discussions included the proposal for a public-private partnership for the widening of I-81. 90% of this can be done with existing right-of-way. The plan includes establishing a toll for trucks that use I-81 and having separate lanes for the trucks to use. Senator Bo Trumbo plans to introduce a bill in the Virginia Senate and Morgan Griffith plans to introduce a bill in the U.S. House of Representatives in support of the private/public partnership.

There was also discussion about coordinating a "safety campaign" to raise awareness of driving safely on the county's secondary roads.

Economic Development Commission The Economic Development Commission would like the Board's input on changing the name of the Falling Branch Industrial Park. The only thing being discussed for change is the word "industrial". Suggestions include the Falling Branch Corporate Park.

New River/Mount Rogers Workforce Investment Act In addition to the bi-monthly meetings of the Chief Local Elected Officials (CLEO), there will now be a strategic planning meeting each month. Funding for this group includes \$1.6 million for the youth training; \$1.4 million for an adult education fund; and \$700,000 for dislocated workers. CLEO wants to see if some of this money can be shifted around and used more efficiently. \$230,000 of these funds will be used to do a community survey to try out find out what the needs are in an effort to direct the funds in a more effective and efficient manner.

Virginia Tech/Montgomery Regional Airport Authority The Authority will interview for a Director on February 8th.

Supervisor Creed-PSA billing charges The term "billing charges" seems to be confusing to customers when they call about how their meters are being read for water and sewer. Staff was asked to provide information to clarify the terminology.

Supervisor Politis - Involuntary consolidation of local social services agencies Supervisor Politis reported that the Montgomery County Social Services Board has adopted a resolution opposing the involuntary consolidation of local social service agencies. He asked that a similar resolution be placed on the next agenda for the Board's consideration.

Ice Cream Parlor in Riner A local residents who owns a farm in the Riner area is contemplating the establishment of an ice cream parlor on his property.

Supervisor Biggs - School Budget Hearing The Schools have scheduled their budget hearing for February 5, 2002 at 7:00 p.m. at the Christiansburg High School.

Rumble strips on Peppers Ferry Road (Route 114) A resident from Blacksburg has suggested to the Chair that the Department of Transportation install rumble strips on Peppers Ferry Road (Route 114) to improve safety conditions.

Fairview District Home Board Joe Stewart has indicated he does not wish to serve on the Fairview District Home Board. Supervisor Biggs asked if a Board member would be interested in serving. Supervisor Rush said he would accept appointment to the Fairview District Home Board if the meeting time could be changed from 10 a.m. to 12 noon. Staff will contact the Fairview Home Administrator and ask her to contact the other members of the Fairview District Home Board and find out if they would be willing to change the time of the meetings.

County/School Liaison At the County/School Liaison meeting on January 24, 2002 there was discussion about use of the two middle schools once construction has been completed on the new middle schools. The County Administrator reported that the School Superintendent talked about the community college using the two middle schools, which raises the issue that there would be students attending the community colleges classes that live outside Montgomery County; and the fact that once the space has been taken up in the schools it would be hard to reclaim that space if it was needed in the future.

Legislative Day Supervisor Biggs had reservation and program information for the Board members who plan to attend Legislative Day in Richmond on January 31, 2002.

Speed Problem in the County The Sheriff has indicated to the Chair that he has looked at the feasibility of a county wide 35 mph speed limit and thinks it may be a difficult thing to do as far as patrolling. The Sheriff also wanted the Board to know there is a deer problem. The Sheriff's Department has had a couple of accidents with hitting deer.

INTO CLOSED MEETING

On a motion by John A. Muffo, seconded by Larry N. Rush and carried unanimously,

BE IT RESOLVED, The Board of Supervisors hereby enters into Closed Meeting for the purpose of discussing the following:

Section 2.2-3711	(7)	Consultation With Legal Counsel and Briefings by Staff Members or Consultants Pertaining to Actual or Probable Litigation, Where Such Consultation or Briefing in Open Meeting Would Adversely Affect the Negotiating or Litigating Posture of the Public Body
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1. Boundary Adjustment-Blacksburg

2. Blacksburg Shell Building

(1) Discussion or Consideration of the Acquisition of Real Property for a Public Purpose, or of the Disposition of Publicly Held Property, Where Discussion in an Open Meeting Would Adversely Affect the Bargaining Position or Negotiating Strategy of the Public Body

1. Acquisition of Property for Recreational Purposes

The vote on the foregoing motion was as follows:

AYE

NAY

John A. Muffo

None

Larry N. Rush

James D. Politis

Annette S. Perkins

C. P. Shorter

Gary D. Creed

Mary W. Biggs

OUT OF CLOSED MEETING

On a motion by C. P. Shorter, seconded by John A. Muffo and carried unanimously,

BE IT RESOLVED, The Board of Supervisors ends their Closed Meeting to return to Regular Session.

The vote on the foregoing motion was as follows:

AYE

NAY

John A. Muffo

None

Larry N. Rush

James D. Politis

Annette S. Perkins

C. P. Shorter

Gary D. Creed

Mary W. Biggs

CERTIFICATION OF CLOSED MEETING

On a motion by John A. Muffo, seconded by Gary D. Creed and carried unanimously,

WHEREAS, The Board of Supervisors of Montgomery County has convened a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711 of the Code of Virginia requires a certification by the Board that such Closed Meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby certifies that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion conveying the closed meeting were heard, discussed or considered by the Board.

VOTE

AYES

John A. Muffo
Gary D. Creed
Larry N. Rush
C. P. Shorter
James D. Politis
Annette S. Perkins
Mary W. Biggs

NAYS

None

ABSENT DURING VOTE

None

ABSENT DURING MEETING

None

ADJOURNMENT

On a motion by Gary D. Creed, seconded by Annette S. Perkins and carried unanimously, the Board adjourned to Monday, February 11, 2002.

The vote on the foregoing motion was as follows:

AYE

John A. Muffo

Larry N. Rush

James D. Politis

Annette S. Perkins

C. P. Shorter

Gary D. Creed

Mary W. Biggs

NAY

None

The meeting adjourned at 11:30 p.m.